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August 10, 2010

Philip Giudice, Commissioner
Massachusetts Department of Energy Resources
100 Cambridge Street, Suite 1020
Boston, MA 02114

Dear Commissioner Giudice,

Thank you for the opportunity to comment on the Manomet Biomass Sustainability and Carbon Policy Study and the policy direction of biomass within the Renewable Portfolio Standard (RPS). The American Lung Association in Massachusetts thanks Secretary Bowles for commissioning this study and you and the Department of Energy Resources for thoughtfully applying the research findings to our state's renewable energy plan. Energy policies are so closely intertwined with the health and safety of Massachusetts residents and we strongly support rapid movement towards clean, safe and renewable energy to protect our environment and the air we breathe.

In Secretary Bowles' letter to you dated July 7, 2010, he notes that health concerns raised by the public and medical community are "beyond the scope of the Manomet study and this rulemaking". While we understand that the Manomet study did not look specifically at the health impacts of biomass energy, this does not mean the Commonwealth should miss the opportunity to update RPS regulations in a way that better protects the public's health. While a positive catalyst, regulatory changes should not be based solely on the Manomet study as many hazardous air pollutants and toxins including particulate matter and nitrous oxides were not included in the study's scope but continue to pose a health threat. We urge you to address these and other health concerns through the regulation changes recommended below that ensure all *renewable* energy sources subsidized by the state are also *clean* energy sources.

For all fuel sources, the Renewable Portfolio Standard should take a comprehensive view of toxic emissions. Any eligible facility must have lifecycle greenhouse gas emissions that are at least 50% less than the greenhouse emissions from a combined cycle natural gas plant, on a per kilowatt hour basis, as measured over 20 years. The lifecycle greenhouse gas analysis required by the proposal should include direct and indirect land use changes, smokestack emissions, and emissions from equipment used to extract, harvest and transport the biomass. During permitting, no utility-scale biomass energy facility should be exempt from completing an Environmental Impact Review. All emissions must be reviewed in the context of the background air quality that already exists. Special considerations should be made for Environmental Justice communities and those where background levels of toxins are high.

In conjunction with the Department of Environmental Protection, the Renewable Portfolio Standard should require that all biomass combustion facilities install Best Available Control Technology to achieve the lowest emission levels possible for pollutants including particulate matter and nitrous oxides. All utility-scale biomass energy facilities must be equipped, at the owner's expense, with continuous monitoring systems to guarantee that permitted allowable emission levels and state and federal standards are met. We recommend that updated RPS regulations provide a mechanism to bring any operating biomass energy facilities into compliance under new National Ambient Air Quality Standards as they change in the future.

We also urge you to include the following recommendations:

- To receive Renewable Energy Certificates, the facility must be a "combined heat and power facility" that operates at a minimum 70% efficiency. Increased emphasis on energy efficiency is a rapid, cost effective way to reduce energy consumption and the pollution that accompanies it.
- The finalized Renewable Portfolio Standard regulations should apply to all currently operating biomass combustion and gasification facilities. To truly protect public health immediately, no plant should be "grandfathered in" under the old regulations.
- Any costs associated with these new regulations must be paid for by those facilities/industries being regulated, and not by the Commonwealth of Massachusetts.
- We applaud that construction and demolition debris fuel will not be eligible for Renewable Energy Certificates, but call on Secretary Bowles and the Patrick Administration to ban all construction and demolition debris combustion in Massachusetts.

The Renewable Portfolio Standard is a vital part of Massachusetts' plan to increase our renewable energy economy and decrease harmful air pollutants. The precious and limited funding to drive these efforts should only be made available to energy sources that are both renewable and clean. Power generated from solar, wind, and tidal source that have no harmful emissions should not have to compete with combustion facilities that pollute our air and harm our lungs. We applaud the Manomet study and the inclusive process to improve the Renewable Portfolio Standard as we learn more about biomass energy and ask that as these energy policy decisions are made, health remains a top priority.

Sincerely,



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Cc: Secretary Ian Bowles, Executive Office of Energy and Environmental Affairs